

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KIRK D. WINGO,

Plaintiff,

v.

DR. KAREN GEDNEY, et al.,

Defendants.

3:14-cv-449-RCJ-VPC

ORDER

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1-1). Plaintiff has not filed an application to proceed *in forma pauperis*. (See ECF No. 1).

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted an *in forma pauperis* application, a financial certificate, or an inmate account statement. (See ECF No. 1). As such, the Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

1 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
2 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
3 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
4 (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
5 administrative fee).

6 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
7 dismissal of this action may result.

8 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF
9 No. 1-1), but shall not file it at this time.

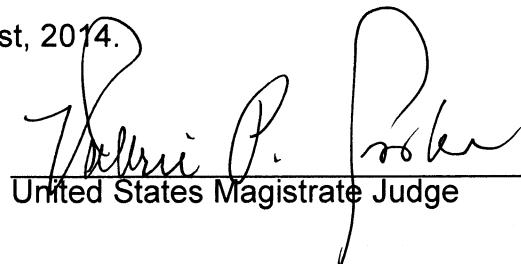
10

11

DATED: This 27th day of August, 2014.

12

13


United States Magistrate Judge

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28